

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

PURNIMA MAHARAJ,

No. C 12-4317 SI

Plaintiff,

**ORDER TO SHOW CAUSE WHY CASE
SHOULD NOT BE DISMISSED FOR
FAILURE TO PROSECUTE**

v.

BANK OF AMERICA, N.A.,

Defendant.

On August 23, 2012, defendant Bank of America filed a motion to dismiss and noticed the motion for a hearing on October 5, 2012. Plaintiff's opposition to the motion was due on September 6, 2012. Plaintiff, who is represented by counsel, did not file an opposition, nor did plaintiff request an extension of time.

Accordingly, plaintiff is ORDERED TO SHOW CAUSE in writing no later than **September 26, 2012**, why this case should not be dismissed without prejudice for failure to prosecute. See Fed. R. Civ. Proc. 41(b). If plaintiff responds to this Order and wishes to proceed with this lawsuit, the Court will set a new briefing schedule and hearing date on defendant's motion to dismiss. The October 5, 2012 hearing date is VACATED.

IT IS SO ORDERED.

Dated: September 17, 2012



SUSAN ILLSTON
United States District Judge